

**Not for Publication**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ROBERTA JACKSON,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-18667  
(JMV) (JBC)

**ORDER**

KIMBERLY FUSCO and JOHN FUSCO,

*Plaintiffs,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-15040  
(JMV) (JBC)

**ORDER**

WILLIAM M. JOHNSON,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-15078  
(JMV) (JBC)

**ORDER**

GERALDINE WYCHE,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-15085  
(JMV) (JBC)

**ORDER**

KATHLEEN SHAFER-JONES and  
GREGORY JONES,

*Plaintiffs,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-15111  
(JMV) (JBC)

**ORDER**

JANICE MCCRACKEN,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-15137  
(JMV) (JBC)

**ORDER**

JEFFREY D’ALESSANDRO and  
JENNIFER D’ALESSANDRO,

*Plaintiffs,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-15147  
(JMV) (JBC)

**ORDER**

DARCY WOLFE,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-15152  
(JMV) (JBC)

**ORDER**

JAMES BROWN and TERRI BROWN,

*Plaintiffs,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-17984  
(JMV) (JBC)

**ORDER**

SHIRLEY WARD,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-17986  
(JMV) (JBC)

**ORDER**

DIANE GORMAN,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-18665  
(JMV) (JBC)

**ORDER**

COLLEEN KENNEDY,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 19-19304  
(JMV) (JBC)

**ORDER**

DEBRA WYGLE and WILLIAM WYGLE,

*Plaintiffs,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 20-549  
(JMV) (JBC)

**ORDER**

COLE BRANCATI,

*Plaintiff,*

v.

HOWMEDICA OSTEONICS  
CORPORATION, et al.,

*Defendants.*

Civil Action No. 20-704  
(JMV) (JBC)

**ORDER**

**John Michael Vazquez, U.S.D.J.**

This matter comes before the Court on the June 15, 2020 Report and Recommendation (the “R&R”) of Magistrate Judge James B. Clark, III. Civil Action No. 19-18667, D.E. 13. The R&R addressed Plaintiff Roberta Jackson’s motion to remand this matter to the Superior Court of New Jersey, Civil Action No. 19-18667, D.E. 5, and recommends that this Court grant the motion; and it

**APPEARING** that “the parties conferred and agreed that the most efficient manner for the Court to address the pending motions [in the above-docketed cases] would be to select one case that encompassed the various issues raised and to apply the final decision in that case to the remaining motions.” *See* R&R at 3. The parties agreed that a decision in *Jackson v. Howmedica*

*Osteonics Corporation*, Civil Action No. 19-18667, would sufficiently address the issues raised in the above-docketed cases. *Id.*; and it

**APPEARING** that the parties were advised as to the dates that any objections to this R&R were to be served and filed. *See* R&R at 12; and it

**APPEARING** that no objections to the R&R have been received and the time for filing any objections has expired; and it

**APPEARING** that “where no objections are made in regard to a report or parts thereof, the district court will adopt the report and accept the recommendation if it is ‘satisf[ied] . . . that there is no clear error on the face of the record.’” *Sportscare of Am., P.C. v. Multiplan, Inc.*, No. 10-4414, 2011 WL 500195, at \*1 (D.N.J. Feb. 10, 2011) (quoting Fed. R. Civ. P. 72 Advisory Committee's Notes); and it

**APPEARING** that this Court independently reviewed the record and the R&R, and hereby adopts it as the Opinion of this Court.

**THEREFORE**, for the foregoing reasons, and for good cause shown,

**IT IS** on this 20th day of July, 2020,

**ORDERED** that the Court adopts the Report and Recommendation, Civil Action No. 19-18667, D.E. 13, in its entirety, and Plaintiff’s motion to remand, D.E. 5, is granted; and it is further

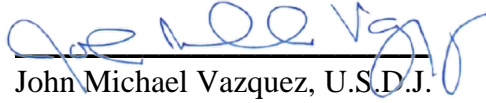
**ORDERED** that pursuant to the parties’ agreement that the final decision in Civil Action No. 19-18667 would apply to the remaining cases, Plaintiffs’ motions to remand in all of the above-docketed cases are granted;<sup>1</sup> and it is further

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<sup>1</sup> Plaintiffs’ motion, D.E. 5, is granted in *Fusco, et al. v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-15040; Plaintiff’s motion, D.E.5, is granted in *Johnson v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-15078; Plaintiff’s motion, D.E. 5, is granted in *Wyche v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-15085; Plaintiffs’ motion, D.E. 5, is granted in *Shafer-Jones, et al. v. Howmedica Osteonics Corporation, et al.*, Civil Action

**ORDERED** that all of the above-docketed matters are hereby remanded to the Superior Court of New Jersey, Law Division, Bergen County; and it is further

**ORDERED** that the Clerk's Office shall close all of the above-docketed matters.

  
John Michael Vazquez, U.S.D.J.

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No. 19-15111; Plaintiff's motion, D.E. 5, is granted in *McCracken. v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-15137; Plaintiffs' motion, D.E. 5, is granted in *D'Alessandro v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-15147; Plaintiff's motion, D.E. 5, is granted in *Wolfe v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-15152; Plaintiffs' motion, D.E. 6, is granted in *Brown, et al. v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-17984; Plaintiff's motion, D.E. 6, is granted in *Ward v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-17986; Plaintiff's motion, D.E. 6, is granted in *Gorman v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-18665; Plaintiff's motion, D.E. 6, is granted in *Kennedy v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 19-19304; Plaintiffs' motion, D.E. 2, is granted in *Wygle, et al. v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 20-549; and Plaintiff's motion, D.E. 2, is granted in *Brancati v. Howmedica Osteonics Corporation, et al.*, Civil Action No. 20-704.